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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/723,666	11/27/2000	Larry S. Marso	32803-0269596	6342

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David H. Jaffer
Pillsbury Winthrop LLP
2550 Hanover Street
Palo Alto, CA 94304-1115

EXAMINER

CHANKONG, DOHM

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 06/10/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/723,666

Applicant(s)

MARSO ET AL.

Examiner

Dohm Chankong

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6, 7/5/01</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2154

DETAILED ACTION

1. Claims 1-21 are presented for examination.

Claim Objections

2. Claim 8 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 8 is a duplicate claim to parent claim 5.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 8 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. Claim 8 is a duplicate claim to claim 5.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2154

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Lang et al (hereinafter Lang), U.S. Patent No. 5,983,214.

7. As to claim 1, Lang teaches a method for providing interactive evaluation of a content item disseminated over a computer network comprising the steps of:

disseminating a content item to a plurality of individual users of computers, wherein the content item is provided by one of said users (abstract);

receiving evaluations of the content item from the individual users (abstract); and

assigning a quality rating to the content item based on weightings of the evaluations provided by the individual users (abstract - where collaboration-based value is equivalent to a quality rating).

Art Unit: 2154

8. As to claim 2, Lang teaches a method wherein the evaluation provided by a first individual user is weighted to reflect an individual expertise rating of the first individual user (column 4, lines 54-64 – where the credibility of the user is equivalent to the user having an expertise rating).

9. As to claim 3, Lang teaches a method wherein the individual expertise of the first individual user is based on weighted evaluations by other individual users of at least one of the content items or evaluations provided by the first individual user (column 4, line 61 to column 5, line 5).

10. As to claim 4, Lang teaches a method further comprising the step of sorting content items by quality rating (column 4, lines 20-23 and column 7, lines 10-17).

11. As to claim 5, Lang teaches a method further comprising the step of sorting items by the individual expertise of the provider of the content item (column 5, lines 53-59).

12. As to claim 6, Lang teaches a method wherein the evaluation provided by a first individual user is weighted to reflect an individual expertise rating of the first individual user (column 4, lines 54-64).

13. As to claim 7, Lang teaches a method wherein the individual expertise of the first individual user is based on weighted evaluations by other individual users of at least one of

Art Unit: 2154

the content items or evaluations provided by the first individual user (column 4, line 61 to column 5, line 5).

14. As to claim 8, Lang teaches a method further comprising the step of sorting items by the individual expertise of the provider of the content item (column 5, lines 53-59).

15. As to claim 9, Lang teaches a method wherein a first individual may associate his expertise for or against a content item provided by another individual user, thereby affecting the expertise associated with the content item (column 5, lines 6-17 and lines 53-57 – where the content item is equivalent to the “informon”).

16. As to claim 10, Lang teaches a method wherein a first individual may associate his expertise for or against a content item provided by another individual user, thereby affecting the expertise associated with the content item (column 5, lines 6-17 and lines 53-57).

17. As to claim 11, Lang teaches a method wherein a first individual may associate his expertise for or against a content item provided by another individual user, thereby affecting the expertise associated with the content item (column 5, lines 6-17 and lines 53-57).

18. As to claim 12, Lang teaches a method further comprising the step of revising the weightings of evaluations provided by users in accordance with pre-established criteria

Art Unit: 2154

(column 4, lines 49-64 and column 10, lines 48-60 – where the weightings of evaluations is revised in accordance with the expertise of the user).

19. As to claim 13, Lang teaches a method wherein the evaluation provided by a first individual user is weighted to reflect an individual expertise rating of the first individual user (column 4, lines 54-64).

20. As to claim 14, Lang teaches a method wherein the individual expertise of the first individual user is based on weighted evaluations by other individual users of at least one of the content items or evaluations provided by the first individual user (column 4, line 61 to column 5, line 5).

21. As to claim 15, Lang teaches a method further comprising the step of revising the individual expertise rating of the first individual user in accordance with pre-established criteria (column 4, line 61 to column 5, line 5 where the individual expertise rating of a user is revised in accordance with the rankings by other users).

22. As to claim 16, Lang teaches a method wherein an individual user navigates through information available over the network at least in part by providing evaluations of content items (column 7, lines 39-64 – where the user navigates through informons based on his user profile, which in turn is based on the user evaluations he provides to previously selected informons).

Art Unit: 2154

23. As to claim 17, Lang teaches a method wherein an individual user navigates through information available over the network at least in part by providing evaluations of content items (column 7, lines 39-64).

24. As to claim 18, Lang teaches a method wherein an individual user navigates through information available over the network at least in part by providing evaluations of content items (column 7, lines 39-64).

25. As to claim 19, Lang teaches a method wherein an individual user navigates through information available over the network at least in part by providing evaluations of content items (column 7, lines 39-64).

26. As to claim 20, Lang teaches a method wherein an individual user navigates through information available over the network at least in part by providing evaluations of content items (column 7, lines 39-64).

27. As to claim 21, Lang teaches a method wherein an individual user navigates through information available over the network at least in part by providing evaluations of content items (column 7, lines 39-64).

Art Unit: 2154

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art in regards the rating of users and user-related items over a network:

U.S Patent No. 5,583,763 to Atcheson et al;

U.S Patent No. 5,867,799 to Lang et al;

U.S Patent No. 6,029,192 to Hill et al;

U.S Patent No. 6,041,311 to Chislenko et al;

U.S Patent No. 6,141,694 to Gardner;

U.S Patent No. 6,275,811 to Ginn.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is (703)305-8864.


The examiner can normally be reached on 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703)305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2154

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DC



JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100